



AMENDMENT

In the drawings:

In the last Office Action the drawings were objected to under 37 CFR 1.83(a). Replacement sheets for Figures 1A, 3, 4, 5, 6, and 8 have been attached with amended drawings showing electric power storage means, motor, sensors and computer.

REMARKS

In the last Office Action claims 1-31, 68-78, 93, 99, 102, 105, 108, 111, 114, 117, 120, 123, 126, 129, 132 and 135 were rejected under U.S.C. 112, second paragraph as being indefinite. Further, claims 1, 2 and 68 were rejected under 35 U.S.C. 102(b) as being anticipated by Yamet et al. (USP 5,236,058 A) (Yamet). Additionally, claims 1, 2, 93, 96, 99, 102, 105, 108, 111, 114, 117, 120 and 135 were rejected 35 U.S.C. 102(b) as being anticipated by Staelin et al (USP 6,059,062 A) (Staelin). Moreover, claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamet as applied to claim 2 and further in view of Petrosino (USP 5,882,018 A). Further, claims 6, 7, 13-26, 29, 30, 70, 73 and 74-78 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamet as applied to claim 2 and further in view of Shyr et al. (USP 5,730,241 A) (Shyr). Lastly, the Examiner indicated that claims 4, 5, 8-12, 27, 28, 31, 123, 126, 129 and 132 would be allowable if rewritten in dependent form including all of the limitations of the base claim and any intervening claims. The Applicant would like to point out that **claim 4 has been rejected (under 35 U.S.C. 103(a)) and allowed if rewritten at the same time in the last Office Action.**

Claims rejected under USC 112 second paragraph:

Claims 1-31, 68-78, 93, 99, 102, 105, 108, 111, 114, 117, 120, 123, 126, 129, 132 and 135 were rejected under U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter, which the Applicant regards as the invention. The Applicant has amended claims 1 and 20-26 by removing the word “normal” thereby removing the apparent indefiniteness of the phrase “normal mechanical action” or the phrase “normal walking action”. Further, with the said amendment, indefiniteness of the phrase “normal walking speed” is also resolved. The Applicant at this point contends that the concept of an act of walking is well known to anyone of ordinary skill in the art and is not at all subjective. In a dictionary meaning, walking is described as “To move over a surface by taking steps with the feet at a pace slower than a run” or alternatively “The gait of a human or other biped in which the feet are lifted

alternately with one part of a foot always on the ground”. This meaning is so well grounded in everyday life that it would not be subjective even when associated with the word “normal”. By the same argument, the concept of walking speed is also well known and well understood to anyone with an ordinary skill in the art such that it cannot be taken for anything else. Walking speed is the rate of displacement in the direction of walking as defined above. The Applicant contends that with the current amendment to the claims, the claims distinctly claim what the Applicant regards as invention.

Claims rejected under 35 U.S.C. 102(b):

Claims 1, 2 and 68 were rejected under 35 U.S.C. 102(b) as being anticipated by Yamet and claims 1, 2, 93, 96, 99, 102, 105, 108, 111, 114, 117, 120 and 135 were rejected 35 U.S.C. 102(b) as being anticipated by Staelin. The Applicant contends that with the current amendments to the claims 1 and 2, the rejection put forward by the Examiner has been overcome. The inventions of Yamet and Staelin cannot be operative while in an act of walking as detailed by the Applicant in the discussion above. If a user operates the inventions of Yamet or Staelin, then the user is unable to walk as described in the instant invention. The inventions of Yamet or Staelin describe skates designed for skating on wheels. It is readily apparent that the differences in an act of skating and an act of walking are such that they would clearly prevent the user, using the inventions of Yamet or Staelin, to walk and use the said skates at the same time. In the Applicant’s invention a user only utilizes the motorized shoes to increase the walking speed. Therefore, the Applicant submits, that the inventions of Yamet and Staelin do not anticipate the Applicant’s invention. Hence, claims 1, 2, 68, 93, 96, 99, 102, 105, 108, 111, 114, 117, 120 and 135 are allowable over the inventions of Yamet and Staelin in the respective order given by the Examiner. Reconsideration and allowance are respectfully requested.

Claims rejected under 35 U.S.C. 103(a):

Claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamet as applied to claim 2 and further in view of Petrosino. Further, claims 6, 7, 13-26, 29, 30,

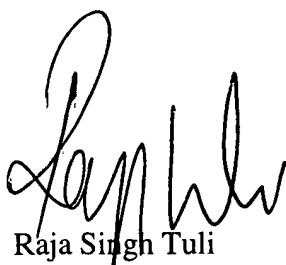
70, 73 and 74-78 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamet as applied to claim 2 and further in view of Shyr. The Applicant contends that with the current amendment to claim 2 all claims rejected under 35 U.S.C. 103(a) are patentable over the cited references of Yamet, Petrosino and Shyr. With the current amendment, claim 2 comprises of the conveyor that makes an angle towards an instep with a straight line going from heel section to toe section, in a plane parallel to the plane of the sole of the shoe. This feature, of an angled conveyor as cited above, is not described by any reference cited by the examiner, and also is a part of the allowable subject matter given by the examiner. Hence reconsideration and allowance are respectfully requested.

Allowable subject matter:

The allowable subject matter, as indicated by the Examiner, is comprised of the claims 4, 5, 8-12, 27, 28, 31, 123, 126, 129 and 132. The Applicant's contends with the present amendment to claim 2, claims 4, 5, 9-12, 27, 28, 31, 123, 126, 129 and 132 need not be rewritten in an independent form in order to be allowable. Hence, allowance is requested as presently on record.

In view of the foregoing amendments and remarks the Applicant submits that all pending claims are allowable. Therefore, reconsideration and allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Raja Singh Tuli', is written over the printed name.

Raja Singh Tuli

Inventor